

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks.

No claims have been canceled or added by this response. Thus, claims 17-22, 24-33, 35 and 36 are pending in the present application, of which claims 17, 27 and 28 are independent.

Noted - IDS Considered

The indication (see Examiner-initialed attachment to the Office Action mailed April 25, 2008) that the Information Disclosure Statement (IDS) as filed on November 14, 2007 and references listed therein have been considered is noted with appreciation.

Noted - Drawings Approved

The indication (see the Office Action Summary mailed May 10, 2007, boxes 10(a) have been checked) that the Drawings (submitted on April 13, 2004) have been approved is noted with appreciation.

Claim Rejection Under 35 U.S.C. §101

Claim 27 is rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. In particular, the Office Action asserts that the claimed invention is not tied to a particular machine. By the foregoing amendments, the method of claim 27 has been tied to a central processing unit to impose meaningful limitations on the claim's scope. Accordingly, withdrawal of the rejection is respectfully requested.

Claim Rejection Under 35 U.S.C. §103

Claims 17, 18, 20, 24, 25, 27-29, 31, 35 and 36 are rejected under 35 U.S.C. §103(a) as being unpatentable over Keller (US 5,752,032) in view of Ellison et al. (US 6,507,904, hereinafter Ellison).

INDEPENDENT CLAIM 17

As an example, independent claim 17 recites (among other things) features of:

*an input unit in the central processing unit to input ...;
a storing unit in the central processing unit to store a plurality of operation modes and a plurality of sets of commands, each one of the operation mode corresponding to a different set of commands;
a retaining unit in the central processing unit to retain a*

plurality sets of resources to be used with the firmware or the logic circuit, a different set of the resources being available when each one of the operation modes is set;
a determining unit in the central processing unit ...;
an access control unit in the central processing unit ...;
and
an execution unit in the central processing unit
(emphasis added)

As will be explained below, at least these features of claim 17 provide a distinction over each of Keller and Ellison, and thus over their combination.

Regarding Keller, the Keller reference states the following at column 22, lines 7-13.

To support mode switches, the operating system kernel 56 is modified by installation of a patch 62 to the kernel 56 that will issue an API call directing the device driver 50 to switch the video display controller 19 to a spatial resolution preselected for the application 60 whose window has the current pointer focus. More advanced operating system 54 may

Thus, Keller discloses an operating system that may be modified. However, Keller does not disclose any configuration of a central processing unit (CPU). In other words, Keller does not specify any unit in the CPU. Hence, the noted features of claim 17, namely:

an input unit in the central processing unit to input ...;
a storing unit in the central processing unit to store a plurality of operation modes and a plurality of sets of commands, each one of the operation mode corresponding to a different set of commands;
a retaining unit in the central processing unit to retain a plurality sets of resources to be used with the firmware or the logic circuit, a different set of the resources being available when each one of the operation modes is set;
a determining unit in the central processing unit ...;
an access control unit in the central processing unit ...;
and
an execution unit in the central processing unit ...,

provide a distinction over Keller.

Regarding Ellison, the Office Action acknowledges that Ellison discloses the operating system having various rings (see page 4). However, Ellison, like Keller, does not disclose any configuration of a central processing unit (CPU). In other words, Ellison does not specify any unit in the CPU. Hence, at least the noted features of claim 17, namely

an input unit in the central processing unit to input ...;
a storing unit in the central processing unit to store a plurality of operation modes and a plurality of sets of commands, each one of the operation mode corresponding to a different set of commands;
a retaining unit in the central processing unit to retain a plurality sets of resources to be used with the firmware or the logic circuit, a different set of the resources being available when each one of the operation modes is set;
a determining unit in the central processing unit ...;
an access control unit in the central processing unit ...;
and
an execution unit in the central processing unit ...,

provide a distinction over Ellison.

Among other things, a *prima facie* case of obviousness must establish that the asserted combination of references teaches or suggests each and every element of the claimed invention. In view of the distinction of claim 17 noted above, at least one claimed element is not present in the asserted combination of references. Hence, the Office Action fails to establish a *prima facie* case of obviousness vis-à-vis claim 17. Claims 18, 20, 24 and 25 depend from claim 17, respectively, and so at least similarly distinguish over the asserted combination of references.

INDEPENDENT CLAIMS 27 AND 28

As an example, independent claims 27 and 28 recites (among other things) features of:

determining whether the input command is included or not ..., where each one of the operation modes corresponds to a different set of commands and is stored in a storing unit in a central processing unit, ..., the resources being retained in a retaining unit in the central processing unit;
refining the resources retained in the retaining unit in the central processing unit to an accessible set of resources corresponding to the current operation mode. (emphasis

added)

As will be explained below, at least these features of claims 27 and 28 provide a distinction over each of Keller and Ellison, and thus over their combination.

As noted above, the Keller reference states:

To support mode switches, the operating system kernel 56 is modified by installation of a patch 62 to the kernel 56 that will issue an API call directing the device driver 50 to switch the video display controller 19 to a spatial resolution preselected for the application 60 whose window has the current pointer focus. More advanced operating system 54 may

Thus, Keller discloses an operating system modified. However, Keller does not disclose any configuration of a central processing unit (CPU). In other words, Keller does not specify any function of the CPU. Hence, at least the noted features of claims 27 and 28, namely

determining whether the input command is included or not ..., where each one of the operation modes corresponds to a different set of commands and is stored in a storing unit in a central processing unit, ..., the resources being retained in a retaining unit in the central processing unit;

refining the resources retained in the retaining unit in the central processing unit to an accessible set of resources corresponding to the current operation mode,

provide a distinction over Keller.

Regarding Ellison, the Office Action acknowledges that Ellison discloses the operating system having various rings (see page 4). However, Ellison does not disclose any configuration of a central processing unit (CPU). In other words, Ellison does not specify any function of the CPU. Hence, at least the noted features of claims 27 and 28, namely

determining whether the input command is included or not ..., where each one of the operation modes corresponds to a different set of commands and is stored in a storing unit in a central processing unit, ..., the resources being retained in a retaining unit in the central processing unit;

refining the resources retained in the retaining unit in the central processing unit to an accessible set of resources corresponding to the current operation mode,

provide a distinction over Ellison.

Among other things, a *prima facie* case of obviousness must establish that the asserted combination of references teaches or suggests each and every element of the claimed invention. In view of the distinction of claims 27 and 28 noted above, at least one claimed element is not present in the asserted combination of references. Hence, the Office Action fails to establish a *prima facie* case of obviousness vis-à-vis claims 27 and 28. Claims 29, 31, 35 and 36 depend from claim 28, respectively, and so at least similarly distinguish over the asserted combination of references.

In view of the foregoing discussion, the rejection of claims 17, 18, 20, 24, 25, 27-29, 31, 35 and 36 is improper. Accordingly, withdrawal of the rejection is respectfully requested.

OTHER CLAIMS

Claims 19 and 30 are rejected under 35 U.S.C. §103(a) as being unpatentable over Keller in view of Ellison and further in view of Heinonen et al. (US 6,633,758).

Claims 21, 22, 32 and 33 are rejected under 35 U.S.C. §103(a) as being unpatentable over Keller in view of Ellison and further in view of Bryon Nevis et al. (US 6,581,159, hereinafter Bryon Nevis).

Claim 26 is rejected under 35 U.S.C. §103(a) as being unpatentable over Keller in view of Ellison, further in view of Mark Biondi (US 6,622,246) and further in view of Brent Gregory et al. (US 5,748,488, hereinafter Brent Gregory).

Claims 19, 21, 22, 26, 30, 32 and 33 depend from independent claims 17 and 28, respectively. A basis for how Keller and Ellison are deficient vis-à-vis claims 17 and 28 has been discussed above. The Office Action does not rely upon Heinonen, Bryon Nevis, Mark Biondi or Brent Gregory to compensate for these deficiencies. Hence, the noted features of claims 17 and 28 also provide a distinction over Heinonen, Bryon Nevis, Mark Biondi, and Brent Gregory.

Among other things, a *prima facie* case of obviousness must establish that the asserted combination of references teaches or suggests each and every element of the claimed invention. In view of the distinction of claims 17 and 28 noted above, at least one claimed element is not present in the asserted combination of references. Hence, the Office Action fails to establish a *prima facie* case of obviousness vis-à-vis claims 17 and 28. Claims 19, 21, 22, 26, 30, 32 and 33 depend from claims 17 and 28, respectively, and so at least similarly distinguish over the asserted combination of references.

In view of the foregoing discussion, the rejections of claims 19, 21, 22, 26, 30, 32 and 33 are improper. Accordingly, withdrawal of the rejections is respectfully requested.

PATENT

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Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 50-4610.

Respectfully submitted,

Dated: April 20, 2010

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